

Election Complaints Procedure 2023/24

The following procedure must be followed by students or candidates submitting an election complaint during a Guild of Students election and by the Guild of Students when investigating an election complaint:

[A student or candidate wishing to submit a complaint must do so using the Guild of Students Election Complaint Form \(available on the Guild of Students website\):](#)

- a) All fields (excluding 'For staff use only' section) on the Election Complaint Form are required from the student making the complaint.
- b) The student making the complaint may use additional pages to continue with the 'Details of Complaint' section.
- c) The completed Election Complaint Form must be emailed to elections@guild.bham.ac.uk – we cannot accept hard (paper) copies, except where the student or candidate has a disability that may make submitting the form electronically difficult
- d) On receipt of an Election Complaint Form, the Student Voice Team shall respond by email to the student making the complaint to confirm it has been received and accepted.

Evidence shall be requested (if not already provided) in support of the complaint. Evidence can be (but is not limited to) video recordings, photographs, computer screen shots and emails, and must also be submitted by the deadline, along with the Election Complaint Form.

Students making an election complaint should try to ensure they provide evidence which clearly supports their complaint – e.g. if a student is providing a screen shot of a website, the student should try to include the date & time stamp in the bottom right-hand side of a computer screen to show the screen shot was taken at the appropriate time.

If a complaint is submitted without evidence, it may be dismissed. Once the complaint has been received, the complaint shall be sent to the Returning Officer nominee as delegated by the Registrar and Secretary of the University of Birmingham for a ruling.

Complaints may be received up to 2 hours after the close of voting. This procedure must be used alongside the Election Regulations, Guild of Students Bye Laws, Guild of Students Zero Tolerance Policy, University Bullying and Harassment Policy, Guild of Students governing documents, University Legislation, and/or any Laws of the Land.

Overview of Complaint Structure:

- When a complaint is made, the Student Voice Team should log the complaint and follow up with the complainant if it is deemed that further information is required.
- All Complaints made against candidates during the elections process will be determined by the Returning Officer, the (Registrar and Secretary of the University of Birmingham), Lee Sanders.
- The Returning Officer may delegate responsibilities, and as such complaints will be determined by Adam Sheridan (Guild of Students' Director of Engagement) as Deputy Nominee for the Returning Officer.
- Appeals against decisions made by the Deputy Nominee for the Returning Officer will be determined by Nominee for the Returning Officer Peter Robinson, (NUS Charity Director).

Elections Appeals Procedure 2023/24

- If a student or candidate wishes to appeal a decision made by the Deputy Nominee for the Returning Officer, as an outcome of a complaint they may do so by emailing the details of their appeal to elections@guild.bham.ac.uk.
- Appeals shall be reviewed by the Nominee for the Returning Officer as delegated by the Registrar and Secretary of the University of Birmingham.
- Appeals against those decisions which, in the reasonable opinion of the representative from National Union of Students (NUS), relate to material issues affecting whether the election was free, and fair shall be referred for determination by the Registrar and Secretary as appropriate.

Students and candidates may be asked to provide evidence in support of their appeal. Appeals must be submitted within 48 hours of the notification of the original decision.

Both information regarding complaints and appeals, including the circumstances of the complaint or appeal and the names of those involved will be made public by the Guild of Students. If a person believes this should not be made public, notification should be given at the time of submission, along with the reasons why.

Decisions on whether some or all details of the complaints are made public is at the sole discretion of the Deputy for the Nominee of the Returning Officer in the case of complaints, and the Nominee of Returning Officer in the case of appeals.